

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

**DEFENDANTS' MOTION TO STRIKE
THE EXPERT REPORT OF J. LAWRENCE STEVENS, RAC.**

Defendants C. R. Bard, Inc. and Bard Peripheral Vascular, Inc. (collectively “Bard” or “Defendants”), pursuant to Local Rule 7.0(c)(1), file this Motion to Strike the Expert Report of J. Lawrence Stevens, RAC (“Mr. Stevens”), accompanied by Bard’s separately-filed Suggestions in Support, and respectfully move this Court to strike the general opinions constituting the expert report of Plaintiff’s retained “case-specific” expert Mr. Stevens.¹ This Motion is based upon all matters of record in this case, including the relevant facts, applicable law, and exhibits appended to the Supporting Suggestions being filed contemporaneously herewith, and the Court’s inherent power to control its docket.

¹ To the extent this Court does not strike Mr. Steven's expert report, or any portions thereof, Bard respectfully requests leave of court and fourteen (14) days from the date this Court issues its ruling to serve expert reports to rebut any statements, opinions, and/or conclusions offered by Mr. Stevens that remain without prejudice to and/or without waiver of its positions that: (i) generally, that general discovery was completed and closed in the MDL and (ii) specifically, that Mr. Stevens' expert report is needlessly cumulative such that any probative value is substantially outweighed by the unfair prejudice to Bard.

Dated: January 19, 2021

Respectfully submitted,

/s/ Kara T. Stubbs

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing was filed with the Clerk of the Court using the CM/ECF system on this 19th day of January, 2021, which will send notification of the same to all counsel of record.

/s/ Kara T. Stubbs